



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

February 12, 1998

Sheriff O. J. Stewart  
Liberty County Sheriff's Department  
2400 Beaumont Avenue  
Liberty, Texas 77575

OR98-0443

Dear Sheriff Stewart:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 112621.

The Liberty County Sheriff's Office received a request for the "files maintained by your office in the investigation of the murder of 'Pop' Flynn committed on June 28, 1978." You state that your office does not maintain any records responsive to this request. You explain that you believe that the Liberty Police Department maintains these records. If your office does not maintain, own, or have a right of access to any of the requested information, you need not comply with the request for information. Gov't Code 552.002, .221; *see* Open Records Decision No. 588 (1991):

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, reading "Don Ballard", is written over the typed name.

Don Ballard  
Assistant Attorney General  
Open Records Division

JDB/ch

Ref: ID# 112621

cc: Mr. David Marshall  
P.O. Box 296  
Austin, Texas 78767  
(w/o enclosures)